

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

IN RE:	§
	§ CASE NO. 23-30067-hcm
A&R CHAVIRA, LLC,	§
	§
DEBTOR.	§ CHAPTER 11

NEXTGEAR CAPITAL, INC.'S WITNESS AND EXHIBIT LIST

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NextGear Capital, Inc. ("NextGear") files this its Witness and Exhibit List in connection with the expedited hearing set for April 12, 2023 at 2:00 p.m. (MST) on NextGear Capital, Inc.'s Motion for Relief from Automatic Stay Regarding Blanket Lien Collateral [Doc. # 47] and NextGear Capital, Inc.'s Motion to Enjoin Debtor's Improper Use of Cash Collateral and Motion to Appoint Chapter 11 Trustee [Doc. # 49], as follows:

WITNESSES

NextGear reserves the right to call the below referenced witnesses for testimony at the hearing including the following:

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Attorney for Debtor

NextGear reserves the right to call any other witness designated or identified by any other party at the hearing for purpose of examination at the hearing and/or any rebuttal witness.

EXHIBITS

Ex. #	Description	Offered	Objection	Admitted	Disposition
NG-A	Affidavit of Lucas Hancock [Doc. 13-1]				
NG-B	Demand Promissory Note and Loan and Security Agreement				
NG-C	UCC-1 Financing Statement filed on April 26, 2018, file number 18-0014649972				
NG-D	NextGear's Receivable Detail Summary dated February 7, 2023				
NG-E	List of Sold Unpaid Units (provided by Debtor)				
NG-F	Exhibit "A" to Debtor's Schedules [Doc. 22-1]				
NG-G	Email exchange between Debtor's counsel and NextGear's				

	counsel dated February 22, 2023, through February 24, 2023				
NG-H	Supplemental List produced by Debtor's counsel to NextGear's counsel				
NG-I	Email exchange between Debtor's counsel and NextGear's counsel dated March 17, 2023 to March 20, 2023				
NG-J	Copy of 341 Audio Transcripts (Previously mailed to Court and Debtor's counsel via FedEx on March 31, 2023)				

NextGear requests that the Court take judicial notice of Debtor's Schedules, Statement of Financial Affairs, and any amendments thereto. NextGear also requests the Court take judicial notice of the first Motion for Relief from Automatic Stay filed by NextGear at Doc. # 13.

NextGear reserves the right to amend its Exhibit List and/or supplement the same. NextGear further reserves the right to introduce any document designated by any other party in-interest, as well as any rebuttal documents.

Respectfully Submitted,

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/s/ Christopher V. Arisco
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Attorneys for NextGear Capital, Inc.

CERTIFICATE OF SERVICE

The undersigned converted the foregoing document into an electronic image, via portable document format (.pdf), electronically submitted same to the Internet web portal for the Clerk of this Court utilizing the Electronic Management and Electronic Case Filing system of the Court, which has caused service, via Simple Mail Transfer Protocol (e-mail), of a Notice of Electronic Filing of this imaged document to the below-identified parties on Tuesday, April 4, 2023; said e-mail provides an attributable hyperlink to the document, in portable document format, except for Debtor(s), and any other entity so identified below or on the EM/ECF filing sheet, whereas in that instance such document was mailed via First Class United States Mail, to-wit:

A&R Chavira, LLC 6900 Gateway Blvd. East El Paso, Texas 79915 <i>Debtor</i>	Carlos A. Miranda Miranda & Maldonado, P.C. 5915 Silver Springs, Bldg. 7 El Paso, Texas 79912 <i>Attorney for Debtor</i>
United States Trustee 615 E. Houston, Suite 533 San Antonio, Texas 78295	Vehicle Acceptance Corporation Kemp Smith, LLP Attn: James W. Brewer PO Box 2800 El Paso, Texas 79999-2800
All those receiving ECF notification in this case and the attached list of the 20 largest unsecured creditors.	

/s/ Christopher V. Arisco
 Christopher V. Arisco

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List of 20 Largest Unsecured Creditors